

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

RONALD C. HAYES,)	
)	Case No. 3:18-cv-404
<i>Petitioner,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Debra C. Poplin
KEVIN HAMPTON,)	
)	
<i>Respondent.</i>)	

MEMORANDUM AND ORDER

Now before the Court is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 (Doc. 1), in which Petitioner challenges a criminal judgment against him in Jackson County Criminal Court at Gainesboro, Tennessee. (*Id.* at 1.)

Under 28 U.S.C. § 2241(d), a petitioner may file a habeas corpus petition in the district where his judgment was entered or in the district where he is incarcerated. Petitioner is presently confined in the Bledsoe County Correctional Complex (“BCCX”) in Bledsoe County, Tennessee, and his judgment of conviction was entered by a state court in Jackson County, Tennessee. BCCX is located in Bledsoe County, Tennessee, which is in the Eastern District of Tennessee. *See* 28 U.S.C. § 123(a)(3). Jackson County, the situs of Petitioner’s conviction, on the other hand, lies within the Northeastern Division of the Middle District of Tennessee. *See* 28 U.S.C. § 123(b)(2).

Thus, venue for this § 2254 petition is proper in both the Eastern and Middle Districts of Tennessee. A petitioner’s place of confinement may change, however, while the district of his conviction will remain constant. For this reason, the consistent practice in the Tennessee federal courts is to transfer habeas petitions to the district in which the convicting court is

located.

As the Court is authorized to transfer a case such this to another District “in the interest of justice,” 28 U.S.C. § 1406(a), the Clerk is **DIRECTED** to transfer this action to the Northeastern Division of the United States District Court for the Middle District of Tennessee, at Cookeville and to close this file.

SO ORDERED.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE